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PATENT DOCKET 206,871

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PURICELLI ET AL.

EXAMINER:

SERIAL NO.: 10/524,453

ART UNIT:

FILED: February 9, 2005

FOR: STAPLE FOR THE SUTURE
OF THE STERNUM

**Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

August 31, 2005

RESPONSE TO NOTIFICATION
OF MISSING REQUIREMENTS UNDER THE 35 U.S.C. 371

09/08/2005 MKAYPAGH 00000101 10524453

01 FC:2617 65.00 DP

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

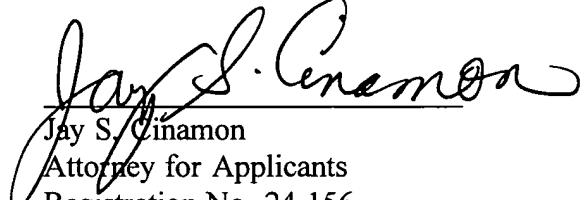
This correspondence is being deposited with the United States Postal Service on August 31, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 843 204 921 US addressed to the Honorable Commissioner for Patents, Washington, D.C. 20231.

REMARKS

In response to the Notification of Missing Requirements of August 1, 2005, copy enclosed, applicants' submit herewith a properly executed Declaration. A check in the amount of \$65.00 is enclosed to cover the surcharge for the late filing of the Declaration by a small entity.

Please charge any fees which may be due which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,



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Attorney for Applicants
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UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|-----------------------|---|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/524,453 | Cesare Puricelli | 206,871 |
| DUE BY <u>SP 10/1/05</u> | | INTERNATIONAL APPLICATION NO. |
| DOCKETED ON <u>8/9/05</u> | | PCT/EP03/08821 |
| DOCKETED WITHOUT FILE | | IA. FILING DATE 08/08/2003 PRIORITY DATE 08/09/2002 |
| ATTORNEY <u>JSC</u> | | CONFIRMATION NO. 8650 371 FORMALITIES LETTER  *OC000000016662465* |

Date Mailed: 08/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/09/2005
- Copy of the International Search Report filed on 02/09/2005
- Preliminary Amendments filed on 02/09/2005
- Information Disclosure Statements filed on 06/24/2005
- Oath or Declaration filed on 02/09/2005
- Request for Immediate Examination filed on 02/09/2005
- U.S. Basic National Fees filed on 02/09/2005
- Priority Documents filed on 02/09/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/524,453 | PCT/EP03/08821 | 206,871 |

FORM PCT/DO/EO/905 (371 Formalities Notice)